

KING & SPALDING, LLP

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Atlanta, Georgia 30303-1763
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FAX TRANSMITTAL SHEET
March 11, 2005

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MAR 11 2005

TO: Examiner E. Kiss
GAU 2122
U.S. Serial No. 09/642,625

Company: U.S. Patent and Trademark Office

Fax #: 703-872-9306

City/State: Alexandria, VA 22313

Mail Stop ISSUE FEE

FROM: Steven P. Wigmore

5551

Our Ref. #:

05456.105041

NUMBER OF PAGES (including transmittal sheet): 30

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If transmission problems occur or you are not the intended recipient, please call 404.572.2459 immediately.
Thank you.

Notes/Comments:

Documents Submitted Via Facsimile:

Applicant: Peter A.J. Van Der Made

Serial No.: 09/642,625

Filed: August 18, 2000

For: Computer Immune System and Method for Detecting Unwanted Code in a Computer System

Papers Submitted: Request for Initialed Copies of the PTO-1449 Forms [2-pgs.]; IDS's filed on (February 7, 2003 [4-pgs.]; April 3, 2002 [4-pgs.]; March 22, 2002 [4-pgs.]; July 26, 2001 [4-pgs.]; June 27, 2001 [3-pgs.]; and August 18, 2000 [2-pgs.]; post card receipts [6-pgs.]

missing 1 page

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

MAR 11 2005

In re Application of:

Peter A. J. Van Der Made

Serial No. 09/642,625

Filed: August 18, 2000

For: Computer Immune System and Method
for Detecting Unwanted Code in a
Computer System

Art Unit: 2122

Confirmation No. 8243

Examiner: Kiss, E.

REQUEST FOR INITIALED COPIES OF THE PTO-1449 FORMS
FILED WITH THE INFORMATION DISCLOSURE STATEMENTS

Commissioner for Patents
Mail Stop Box Issue Fee
Alexandria, VA 22313-1450

March 11, 2005

Sir:

The Applicant respectfully requests the Examiner to consider and initial the attached PTO-1449 forms that were previously filed with six Information Disclosure Statements (IDS's) prior to the Notice of Allowance of February 28, 2005. The Applicant has not received copies of these PTO-1449 forms that bear the Examiner's initials.

For the Examiner's convenience, attached hereto are copies of the IDS's with the PTO-1449 forms that were not properly initialed by the Examiner. These documents were filed on the following dates: February 7, 2003, PTO-1449 (3-pgs.); April 3, 2002, PTO-1449 (1-pg); March 22, 2002, PTO-1449 (1-pg.); July 26, 2001, PTO-1449 (1-pg.); June 27, 2001, PTO-1449 (1-pg.); and August 18, 2000, PTO-1449 (1-pg.). The Applicant has also provided post card receipts for each submission that evidences the receipt of these documents in the U.S. Patent and Trademark Office.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, Mail Stop Issue Fee, P. O. Box 1450, Alexandria, VA 22313-1450, GAU 2122, Attn: Examiner E. Kiss, Facsimile No. (703) 872-9306 on March 11, 2005.


Steven P. Wignmore, Reg. No. 40,447

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The U.S.P.T.O. official mailroom stamp affixed hereto acknowledges receipt of the items listed below.

Applicant	Peter A.J. van der Made
Serial No.	09/642,625
Title	Computer Immune System and Method for Detecting Unwanted Code in a Computer System
Papers Submitted:	Information Disclosure Statement (1 pg.); PTO-1449 form (3 pgs.); copies of thirty-one (31) cited references; Return Postcard
Attorney	WSP/110
Date Mailed	February 7, 2003 <i>WSP</i>
Docket	05456.105041



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USIT 2/17/03

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S.N. 09/642,625 File No. 8/924,004 Date Mailed 4-3-02 By: W. Hulsby
Title Computer Immune System and Method for Detecting
(Client Name) VCTS, Inc.
The Following due _____ in the U.S. Patent and Trademark office was received in the Patent
& Trademark Office on the date stamped hereon:

____ Amendment
____ Preliminary Amendment
____ PCT Application including
____ Pages Spec. _____ Page Abstract _____ Claims
____ Application for Patent including
____ Pages Spec. _____ Page Abstract _____ Claims
____ Declaration, Affidavit of Oath (_____ Page(s))
____ Assign. Ck No. _____ for \$ **RECEIVED**
____ Verified Statement
____ Letter of Transmittal
____ Amendment Under 37 C.F.R. 1.312 (a)
____ Check No. _____ for \$
____ Check No. _____ for \$
____ Check No. _____ for \$

Drawing: # of Sheets _____
____ Formal _____ Informal
____ Issue Fee Transmittal
____ Letter Re
____ Notice of Appeal
____ Petition for **APR 12 2002**
____ Advance soft copy order
____ Ck. No. _____
____ IDS: 4 References
____ Certified Copy# of docs
____ Priority
DOCKETING FORM PTO-1449
APR 18 2002

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**PATENT
81924.0001**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed: August 18, 2000

For: **COMPUTER IMMUNE SYSTEM
AND METHOD FOR DETECTING
UNWANTED CODE IN A
COMPUTER SYSTEM**

Art Unit: 2122

Examiner: Not Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:	
Commissioner for Patents Washington D.C. 20231, on April 3, 2002	
Date of Deposit	Reg. No. 36,312
Name	
Signature	Date 4/3/02

**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**

Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

- ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
- ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the

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81924.0001

information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

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- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

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5. ☒ A list of 4 reference(s) is in the enclosed Form PTO-1449.

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**PATENT
81924.0001**

NON-ENGLISH LANGUAGE REFERENCES


- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Date: April 3, 2002

**Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 837-6700
Facsimile: (213) 837-6701**

**Respectfully submitted,
HOGAN & HARTSON L.L.P.**

By:


**William H. Wright
Registration No. 36,312
Attorney for Applicant(s)**

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S.N. <u>09/642,625</u>	File No. <u>8/924,004</u>	Date Mailed <u>3-22-02</u>	By <u>W. H. H. S.</u>
Title <u>Computer Immune System and Method for Detecting...</u>			
(Client Name) <u>V.C.I.S., Inc.</u>			
The Following due <u>to the U.S. Patent and Trademark office</u> was received in the Patent & Trademark Office on the date stamped hereon: <u>MAR 28 2002</u>			
<input type="checkbox"/> Amendment	<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> PCT Application Including	<input type="checkbox"/> Pages Spec. <input type="checkbox"/> Page Abstract <input type="checkbox"/> Claims
<input type="checkbox"/> Application for Patent Including	<input type="checkbox"/> Pages Spec. <input type="checkbox"/> Page Abstract <input type="checkbox"/> Claims	<input type="checkbox"/> Declaration, Affidavit of Oath (<input type="checkbox"/> Page(s))	<input type="checkbox"/> Assign. Ck No. <input type="checkbox"/> for \$
<input type="checkbox"/> Verified Statement	<input type="checkbox"/> Letter of Transmittal	<input type="checkbox"/> Amendment Under 37 C.F.R. 1.312 (a)	<input type="checkbox"/> Check No. <input type="checkbox"/> for \$
<input type="checkbox"/> Check No. <input type="checkbox"/> for \$	<input type="checkbox"/> Check No. <input type="checkbox"/> for \$	<input type="checkbox"/> Check No. <input type="checkbox"/> for \$	
Drawing: # of Sheets <input type="checkbox"/> Formal <input type="checkbox"/> Informal		RECEIVED	
<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Letter Re <input type="checkbox"/> Notice of Appeal	APR 08 2002	
<input type="checkbox"/> Petition for	<input type="checkbox"/> Advance soft copy order	DOCKETING	
<input checked="" type="checkbox"/> Ck. No. <input type="checkbox"/> For \$	<input checked="" type="checkbox"/> IDS: <u>4</u> References	<input type="checkbox"/> Certified Copy# of docs	
<input type="checkbox"/> Priority	<input checked="" type="checkbox"/> Form <u>PD-1449</u>		

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PATENT
81924.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed: August 18, 2000

For: **COMPUTER IMMUNE SYSTEM
AND METHOD FOR DETECTING
UNWANTED CODE IN A
COMPUTER SYSTEM**

Art Unit: 2122

Examiner: Not Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:	
Commissioner for Patents Washington D.C. 20231, on March 22, 2002	
Date of Deposit	William H. Wright Reg. No. 36,312
Name	3/22/02
Signature	Date

**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**

Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the

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81924.0001**

information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.
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§1.97(e) STATEMENT

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AND FEE

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5. ☒ A list of 4 reference(s) is in the enclosed Form PTO-1449.

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PATENT
81924.0001

NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 

William H. Wright
Registration No. 36,312
Attorney for Applicant(s)

Date: March 22, 2002

Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 337-6700
Facsimile: (213) 337-6701

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S.N. 09/642,625 File No. 81924.0001 Date Mailed 7-26-01 By W.H.H./89
 Title Computer Immune System and Method for Detecting...
 (Client Name) V.C.I.S., Inc.
 The Following due _____ in the U.S. Patent and Trademark office was received in the Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment	<input type="checkbox"/> Drawing: # of Sheets _____
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Formal <input type="checkbox"/> Informal
<input type="checkbox"/> PCT Application Including	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Pages Spec. _____ Page Abstract _____	<input type="checkbox"/> Letter Re _____
<input type="checkbox"/> Application for Patent Including	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Pages Spec. _____ Page Abstract _____	<input type="checkbox"/> Petition for _____
<input type="checkbox"/> Declaration, Affidavit of Oath (_____ Page(s))	<input type="checkbox"/> Advance soft copy order
<input type="checkbox"/> Assign. Ck No. _____ for \$ _____	<input type="checkbox"/> Ck. No. _____ For \$ _____
<input type="checkbox"/> Verified Statement	<input checked="" type="checkbox"/> IDS: <u>1</u> References
<input type="checkbox"/> Letter of Transmittal	<input type="checkbox"/> Certified Copy# of docs
<input type="checkbox"/> Amendment Under 37 C.F.R. 1.312 (a)	<input type="checkbox"/> Priority _____
<input type="checkbox"/> Check No. _____ for \$ _____	<input checked="" type="checkbox"/> Form <u>PID-1449</u>
<input type="checkbox"/> Check No. _____ for \$ _____	
<input type="checkbox"/> Check No. _____ for \$ _____	

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**PATENT
81924.0001**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed: August 18, 2000

For: **COMPUTER IMMUNE SYSTEM AND
METHOD FOR DETECTING UNWANTED
CODE IN A COMPUTER SYSTEM**

Art Unit: 2122

Examiner: Not Assigned

**TRANSMITTAL OF SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this
correspondence is being deposited with
the United States Postal Service with
sufficient postage as first class mail in
an envelope addressed to:
Commissioner for Patents
Washington D.C. 20231 on

July 28, 2001

Date of Deposit

William H. Wright Reg. No. 36,312

Name

Signature

7/28/01

Date

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart

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**PATENT
81924.0001**

foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

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AND FEE

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4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5. ☒ A list of 1 reference(s) is in the enclosed Form PTO-1449.

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**PATENT
81924.0001**

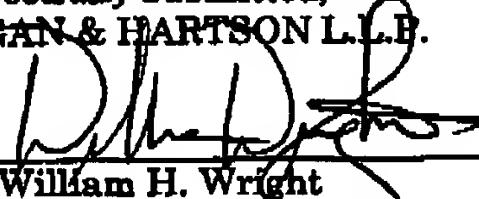
NON-ENGLISH LANGUAGE REFERENCES

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- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Date: July 26, 2001

Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 337-6700
Facsimile: (213) 337-6701

Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 
William H. Wright
Registration No. 86,312
Attorney for Applicant(s)

COPY

COPY

S.N. 091642625 File No. 819240001 Date Mailed 6-27-01 By: WHL/84
Title Computer Immune System and Method For
(Client Name) V.C.I.S., Inc.

The Following due _____ in the U.S. Patent and Trademark office was received in the Patent
& Trademark Office on the date stamp **RECEIVED**

☐ Amendment
☐ Preliminary Amendment
☐ PCT Application Including

Pages Spec. _____ Page Abstract _____
☐ Application for Patent Including

Pages Spec. _____ Page Abstract _____
☐ Declaration, Affidavit of Oath (

Assign. Ck No. _____ for \$ _____

☐ Verified Statement
☐ Letter of Transmittal

☐ Amendment Under 37 C.F.R. 1.312 (a)

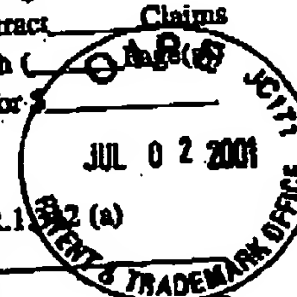
Check No. _____ for \$ _____

Check No. _____ for \$ _____

Check No. _____ for \$ _____

JUL 16 2001

DOCKETING



Drawing: # of Sheets _____
Formal _____ Informal _____

☐ Issue Fee Transmittal

☐ Letter Re _____

☐ Notice of Appeal

☐ Petition for _____

☐ Advance soft copy order

☐ Ck. No. _____ For \$ _____

☒ IDS ☐ References

☐ Certified Copy# of docs

☐ Priority

☒ FORM PD-1449

COPY

COPY**PATENT**
81924.0001**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed: August 18, 2000

For: **COMPUTER IMMUNE SYSTEM AND
METHOD FOR DETECTING UNWANTED
CODE IN A COMPUTER SYSTEM**

Art Unit: 2122

Examiner: Not Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents Washington D.C. 20231, on

June 27, 2001

Date of Deposit

William H. Wright, Ref. No. 36,312

Name

Signature

6/27/01

Date

**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
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§1.97(e) STATEMENT

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- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart

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81924.0001**

NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,
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By: 

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S.N. Not Assigned File No. 8924-0001 Date Mailed 8/18/00 By: W. H. H. H.
 Title Computer Immune System And Method For Detecting...
 (Client Name) ICIS, Inc.

The Following due _____ in the U.S. Patent and Trademark office was received in the Patent & Trademark Office on the date stamped hereon: PTO

Amendment 09/642625
Preliminary Amendment
PCT Application Including 08/18/00
Pages Spec. Page Abstract Claims
Application for Patent Including
24 Pages Spec. 1 Page Abstract 17 Claims
Declaration. Affidavit of Oath (1) Page(s)
Assign. Ck No. 10513 for \$ 40.00
Verified Statement
Letter of Transmittal (2)
Amendment Under 37 C.F.R. 1.312 (a)
Check No. 10515 for \$ 345.00
Check No. for \$
Check No. for \$
Express Mail Label No. EJ1 94573541 US

Drawing: # of Sheets 6

Formal X Informal

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